

CALFRESH (CF) PROGRAM

REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input checked="" type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 2/27/18	NEED RESPONSE BY: 3/15/17
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Rehearing Unit	
3. PHONE NO.:	7. SUBJECT: Household Composition/fraud	
4. REGULATION CITE(S): 63-402.5; 63-300.5(e)	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). PI #: 18-26	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Claimant asserts no knowledge of application being made listing him as household member (and wrongly as the spouse). Applicant has fraud conviction (unrelated matter). Applicant was in/out of the house. Claimant asserts his personal information was stolen and used without his knowledge.

QUESTION: If fraud/stolen identity is determined, and the record indicates that the county failed to meet all the verification and informing requirements, can a person be considered not to be a member of the CalFresh household if there is a finding that the parties did not actually purchase and prepare food together?

10. REQUESTOR'S PROPOSED ANSWER:

Yes. In cases of fraud, if the county didn't take the required verification steps (which can avert fraud) and there is no evidence of purchasing/preparing food together (where claimant would have benefit of CalFresh issuance), an individualized finding that the claimant was not a household member is permissible. This would be the case where an applicant used stolen information for someone never in the house physically.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

The state concurs with the proposed answer based on the given scenario. According to state regulations at MPP 63-300.5 (e), counties shall verify required information prior to certification for households applying. State regulations at MPP 20-005 also state that it is the county's responsibility to make all determination as to eligibility or ineligibility for assistance as well as to prevent and discover fraudulent actions by recipients to the furthest extent possible.

Additionally, MPP 20-003.11 indicates that fraud is existent when a person, on behalf of himself or others, has knowingly, and with intent to deceive or defraud, made a false statement or representation to obtain benefits. If fraud is suspected to exist or has been attempted, the CWD should refer the case to SIU for investigation per MPP 20-004.

FOR CDSS USE

DATE RECEIVED: 2/27/2018	DATE RESPONDED TO COUNTY/ALJ: 3/12/2018 EB
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